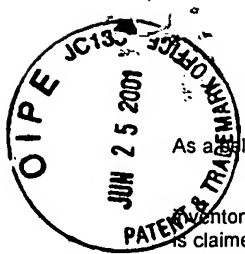


#5



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND SYSTEM OF MARKETING AND SELECTING COLOR

the application of which:

_____ is attached hereto.
☒ was filed in the United States Patent and Trademark Office on
March 16, 2001 and assigned Serial Number 09/811,348
 and was amended on _____ (if applicable).
 _____ was described and claimed in PCT International Application No.
 _____ filed on _____ and amended
 under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below, or of any PCT International application(s) designating at least one country other than the United States of America listed below, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Country	Application Number	Filing Date (Day/Month/Year)	Priority Claimed Under 35 USC § 119
			Yes ____ No ____
			Yes ____ No ____
			Yes ____ No ____

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below or any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATION(S)

Application Serial Number	U.S. Filing Date (day/month/year)	Status (patented, pending or abandoned)
60/189,778	3/16/2000	

And I hereby appoint the following attorney(s) and/or agent(s), with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Cynthia B. Rothschild (Reg. No. 47,040); Bambi F. Walters (Reg. No. 45,197); Michael Boggs (Reg. No. 46,563); Charles W. Calkins (Reg. No. 31,814); Alana Kriegsman (Reg. No. 41,747);

Please address all communications, and direct all telephone calls, regarding this application to:

Alana G. Kriegsman, Esq.
 Kilpatrick Stockton LLP
 1001 W. Fourth Street
 Winston-Salem, NC 27101
 (336) 607-7300 (phone)
 (336) 607-7500 (facsimile)

EXPRESS MAIL NO. 894955125

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.
[Total Number of Inventory 1]

Inventor (full name) : TILMAN, Steve
Inventor's Signature : *Steve G. P.*
Date : JUNE 19, 2001
Residence : 922 West Lenoir Street
Raleigh, NC 27603
Citizenship: : USA
Post Office Address : same as above

77777-771117
WINLIB01:886630.1

894955125

EXPRESS MAIL NO. _____

STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR		Docket Number (Optional) 77777-771117
Applicant, Patentee, or Identifier:	Steve Tilman	
Application or Patent No.:	09/811,348	
Filed or Issued:	March 16, 2001	
Title:	Method and System of Marketing and Selecting Color	
As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in		
<input type="checkbox"/> the specification filed herewith with title as listed above.		
<input checked="" type="checkbox"/> the application identified above.		
<input type="checkbox"/> the patent identified above.		
I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).		
Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:		
<input checked="" type="checkbox"/> no such person, concern, or organization exists.		
<input type="checkbox"/> each such person, concern, or organization is listed below.		
Name		
Address		
Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)		
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))		
Name of Person Signing	Steve Tilman	
Title of Person if other than Owner		
Address of Person Signing	922 West Lenoir St, Raleigh, NC 27603	
Date	JUNE 19, 2001	Signature <i>Steve Tilman</i>

77777-771117
WINLIB01:886809.1

894955125

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